

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Oren Franks,

Plaintiff

v.

Lens.com, Inc.,

Defendant

Case No.: 2:24-cv-00724-JAD-NJK

Adam Nail,

Plaintiff

v.

Lens.com, Inc.,

Defendant

Case No. 2:24-cv-01149-JAD-EJY

Rickey Martin,

Plaintiff

v.

Lens.com, Inc.,

Defendant

Case No. 2:24-cv-02160-RFB-BNW

Mary Agrella Fitzpatrick,

Plaintiff

v.

Lens.com, Inc.,

Defendant

Case No. 2:24-cv-02203-JAD-EJY

Order Transferring Cases and Consolidating Discovery

1 Four separately filed cases are pending in this district against Lens.com over alleged
2 hidden taxes and fees added to the online contact-lens purchases from the Lens.com website.
3 The actions are spread between two district judges and three magistrate judges.

4 Federal Rule of Civil Procedure 42(a) governs the consolidation of separate actions.
5 When multiple cases “involve a common question of law or fact,” district courts may join them
6 for any or all matters at issue, consolidate the suits, or issue any other order that would prevent
7 unnecessary cost or delay.¹ The threshold question is whether the cases involve common
8 questions of law or fact.² If common questions exist, the court must balance the savings of time
9 and effort that consolidation will yield against any inconvenience, delay, confusion, or prejudice
10 that may result.³ “District courts enjoy substantial discretion in deciding whether and to what
11 extent to consolidate cases.”⁴ Local Rule 42-1 also permits the assignment of related cases to a
12 single district judge and magistrate judge.

13 The undersigned judges have determined that these cases involve many identical
14 questions of law and fact and that their transfer to a single judge would be economical. **IT IS**
15 **THEREFORE ORDERED** that Case Nos. 2:24-cv-01149-JAD-EJY, 2:24-cv-02160-RFB-
16 **BNW, and Case No. 2:24-cv-02203-JAD-EJY are transferred and reassigned to District**
17 **Judge Jennifer A. Dorsey and Magistrate Judge Nancy J. Koppe.**

18 **IT IS FURTHER ORDERED** that Case Nos. 2:24-cv-0724, 2:24-cv-01149-JAD-EJY,
19 **2:24-cv-02160-RFB-BNW, and Case No. 2:24-cv-02203-JAD-EJY, are consolidated for**
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21 ¹ Fed. R. Civ. P. 42(a).

22 ² *Id.*

23 ³ *Huene v. United States*, 743 F.2d 703, 704 (9th Cir. 1984).

⁴ *Hall v. Hall*, 584 U.S. 59, 77 (2018).

1 **discovery purposes only. All future discovery-related filings in these cases must be made**
2 **under first-filed case *Franks v. Lens.com*, 2:24-cv-0724-JAD-NJK only. The parties must**
3 **meet and confer and file a proposed amended joint discovery plan and scheduling order by**
4 **March 14, 2025.**

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U.S. District Judge Jennifer A. Dorsey
Dated: February 11, 2025

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U.S. District Judge Richard F. Boulware
Dated: February 11, 2025